

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:14-cr-00029-MR-DLH-9

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )  
                                  )  
                                  vs. )                            O R D E R  
                                  )  
                                  )  
GERALD WILLIAM LOCKLEAR, )  
                                  )  
                                  Defendant. )  
                                  )  
                                  )

---

**THIS MATTER** is before the Court on the Defendant's Amended Sealed Motion to Delay Reporting [Doc. 286] and the Defendant's Motions to Seal Documents [Docs. 284, 287].

On November 20, 2014, the Court entered an Order granting the Defendant's first sealed motion to delay his report date. [Doc. 288]. Accordingly, the Defendant's Amended Sealed Motion to Delay Reporting [Doc. 286] is now moot.

The Defendant moves to file both motions to delay his report date under seal. [Docs. 284, 287]. Before sealing a court document, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic

alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.” Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4<sup>th</sup> Cir. 2000).

In the present case, the public has been provided with adequate notice and an opportunity to object to the Defendant’s motions. The Defendant filed his motions on November 17 and November 20, 2014, respectively, and they have been accessible to the public through the Court’s electronic case filing system since that time. Further, the Defendant has demonstrated that these motions contain protected health information concerning the Defendant and that the public’s right of access to such information is substantially outweighed by the competing interest in protecting the details of such information. Finally, having considered less drastic alternatives to sealing the document, the Court concludes that sealing of the document is necessary to protect the Defendant’s privacy interests.

**IT IS, THEREFORE, ORDERED** that the Defendant’s Amended Sealed Motion to Delay Reporting [Doc. 286] is **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that the Defendant’s Motions to Seal [Docs. 284, 287] are **GRANTED**, and the Defendant’s Motions to Delay

Reporting [Docs. 283, 286] shall remain under seal until further Order of this Court.

**IT IS SO ORDERED.**

Signed: November 25, 2014



Martin Reidinger  
United States District Judge

